



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, WEDNESDAY, JANUARY 27, 2021

No. 16

## House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, January 28, 2021, at 9 a.m.

## Senate

WEDNESDAY, JANUARY 27, 2021

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:  
Let us pray.

O God, our Father, thank You for the gift of this day. Lord, we are grateful for the blessing of Your unfailing love, for Your mercies endure forever.

Keep our lawmakers on the proper path. Lead them to strive for righteousness and humility. As You show them the path to choose, give them the wisdom to live for Your honor. Remind them that You are a friend to those who possess referential awe. Rescue them from the traps of their enemies.

Lord, You are our hope for the years to come.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDENT pro tempore. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. LUJÁN). The majority leader is recognized.

### NOMINATION OF ALEJANDRO NICHOLAS MAYORKAS

Mr. SCHUMER. Mr. President, it has been 3 weeks since a mob of domestic terrorists stormed the U.S. Capitol in an effort to thwart our democratic system of government. In the weeks since, the underlying threat of violence to our government remains of great concern.

One of the most important responsibilities of the new administration—is to protect our country and its citizens. The Senate must continue the process of confirming President Biden's Cabinet by installing Alejandro Mayorkas to serve as Secretary of Homeland Security. In truth, we should have been able to confirm Mr. Mayorkas days ago. He is supremely well qualified for the job. He is the son of immigrants whose family escaped from the Holocaust, a prosecutor, a veteran of 7 years who led the Agency's response on Ebola, cyber security, border security, counterterrorism, and domestic terrorism.

Just 4 years ago, President Trump had his Secretary of Homeland Security installed on Inauguration Day. As four previous Secretaries of Homeland

Security under Presidents of both parties wrote recently: After the attacks on the Capitol on January 6, it is more urgent than ever to have in place an experienced, capable, and Senate-confirmed leader. That person is Mayorkas.

That was four previous Homeland Secretaries from both parties.

Unfortunately, because of the objections of one Member, the Senate has not been allowed to vote on this nomination yet. It is the Senate's responsibility to make sure national security officials are on the job and keeping our country safe.

My friends on the other side don't have to agree with Mr. Mayorkas on the finer points of every policy, but surely we can all agree that he knows the Department, he understands the threats to our Nation's security, and he has what it takes to lead DHS. The Senate must confirm his nomination in very short order, and we will make sure that happens.

We must continue on to the rest of the President's Cabinet as well. The President's nominee for Secretary of Transportation was voted out of committee this morning on an overwhelmingly bipartisan vote, 21 to 3. With cooperation, the Senate can and should confirm Mr. Buttigieg soon, as well.

### CLIMATE

Mr. SCHUMER. On climate, today President Biden is set to announce a slew of Executive actions on climate, including critical measures to increase the conservation of Federal lands, reduce oil and gas development, and

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S157

place environmental justice, green jobs, and, yes, science at the heart of our Nation's climate policy.

I think Americans are saying: Welcome back, science. We are glad you are playing a role in the decisions we make and not being ignored and trampled on like the previous administration did. Understanding that the United States cannot defeat a global threat on its own, the Biden administration has already wisely joined the Paris accords and will also propose convening an international climate summit this year, on Earth Day.

These Executive actions are a very strong opening push by the Biden administration to refocus our Nation's energy toward the threat of climate change. President Biden's commitment to deal with climate change is unquestioned. He is off to a fast start, and it couldn't come soon enough.

The Federal Government has a great deal of power to set the direction for our Nation's energy and environmental policy, but climate change represents an existential threat to our country and our planet. Every tool in the toolbox should be brought to bear. In my view, President Biden should consider the declaration of a national emergency on climate change.

Former President Trump, of course, issued an emergency declaration to divert funds toward an expensive and ineffective border wall when there was no emergency at all. Declaring one for climate change—an actual emergency—would be a giant step in the right direction, and it would allow President Biden to tap additional resources and pursue additional policies in the fight against climate change, even if Republicans in Congress remain intransigent and unable to recognize the severity of this crisis.

Japan, the United Kingdom, New Zealand, and scores of regional and local governments have declared states of emergency on climate change. The United States would send a powerful signal to the world about our commitment to defeating climate change if we did so as well.

#### CORONAVIRUS

Mr. SCHUMER. Mr. President, now on COVID, as I mentioned yesterday, the Senate will soon begin the process of considering legislation to help the country defeat COVID-19 and provide relief to those Americans who are still suffering great economic hardship.

There has been a lot of action in Washington recently. We inaugurated a new President, a new administration is getting off the ground, and an impeachment trial of the former President will commence in a few weeks. But COVID-19 hasn't gone anywhere, unfortunately. Americans are still losing their jobs. American businesses are still closing. Americans are still getting sick. Americans are still dying.

The needs in our country are still great, and the Congress must pursue a

bold and robust course of action to defeat the disease and get our country back to normal. We must not—we must not—repeat the mistakes of 2008 and 2009, when Congress was too timid and constrained in its response to the global financial crisis.

The Congressional Budget Office has told us last fall that COVID-19, the pandemic, has taken more than \$17 trillion out of our economy—\$17 trillion out of the economy. The danger of undershooting our response to COVID-19 is far greater than overshooting it. So Congress must pursue a bold response to the prevailing crisis of our time.

Here in the Senate, we want that work to be bipartisan. Let me say that again. We want the next legislative response to COVID-19 to be bipartisan. We want to work with our Republican colleagues, if we can, to include their ideas and input if they will offer them. That is our preference. But if our Republican colleagues decide to oppose the necessary, robust COVID relief that is needed, we will have to move forward without them. It is not our preference, but dealing with this crisis in a bold and sufficient way is a necessity. The Senate is going to respond to the country's needs and deliver help to the American people fast.

#### IMPEACHMENT

Mr. SCHUMER. Mr. President, now on impeachment, finally, I want to address the vote the Senate took yesterday on the point of order raised by the junior Senator from Kentucky. I regret to say, for 45 Republican Senators to vote for a spurious constitutional objection to the coming impeachment trial was deeply, deeply irresponsible.

The trial is still 2 weeks away. The constitutional objection has been completely debunked by more than 150 constitutional scholars representing the entire breadth of the political spectrum, including very prominent conservatives. But only five Republican Senators were willing to take a principled stand against this reckless and ill-advised effort by Members of this body who are eager to excuse President Trump's campaign to overturn the election and, apparently, to excuse his incitement of the mob that every one of us experienced in this Capitol.

I would simply say to all of my colleagues: Make no mistake. There will be a trial, and the evidence against the former President will be presented in living color for the Nation and every one of us to see once again. No one will be able to avert their gaze from what Mr. Trump said and did and the consequences of his actions. We will all watch what happened. We will listen to what happened, and then we will vote. We will pass judgment, as our solemn duty under the Constitution demands, and, in turn, we will all be judged on how we respond.

I am glad to see my colleague from Vermont here, as well as my colleague from Illinois.

Mr. LEAHY. I thank the distinguished leader.

Mr. SCHUMER. I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### NOMINATIONS

Mr. MCCONNELL. Mr. President, yesterday, we confirmed Antony Blinken, our new Secretary of State. Like the Director of National Intelligence, the Secretary of Defense, and the Secretary of the Treasury, it was another big, bipartisan vote here in the Senate.

Four years ago, Senate Democrats subjected mainstream nominees to lead State and Treasury to a full gauntlet of partisan delay tactics. They forced cloture votes. Those were nearly party-line. So were the final votes. Neither got on the job until February. But this President's mainstream nominees to key posts are receiving fair consideration and a timely process.

Republicans have no shortage of substantive policy differences with the new administration. We will be discussing them with Secretaries Austin, Yellen, and Blinken in the course of normal committee oversight.

But unlike what took place 4 years ago, Republicans are not gratuitously delaying people who are mainstream and qualified whom the new President has asked to serve in key posts. If we find somebody unfit, unqualified, or outside the mainstream, you bet we will oppose them.

But I have just spent 4 years arguing that Presidents deserve some latitude to assemble their team. I meant it, and I mean it now.

With my vote to confirm Mr. Blinken, I wanted to reinforce the need for a true bipartisan consensus on the core objectives of our foreign policy.

Yesterday, while discussing the legislative filibuster, I talked about the chaos that would ensue if every domestic policy swung wildly back and forth with every election. The same goes for our foreign affairs. American statesmen should make commitments and issue threats that can endure beyond their terms in office.

To be clear, Presidents bear the primary responsibility for foreign policy, and I am not suggesting different leaders should not have different ideas. But they will be more successful and their legacies more enduring if they make the effort to build bipartisan support among Congress and the American people.

Neither America nor our allies will like the world that results if the world's leading Nation starts over like an Etch A Sketch every 4 years.

For starters, in several important areas, the new administration should build on bipartisan consensus that actually already exists.

Let's start with China. The Trump administration helped build a long